

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

FEB 23 2018

David J. Bradley, Clerk

United States of America
v.
GOMEZ-VELA, JOEL (USC)
YOB: 1972

Case No.

M-18-0397-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/21/2017 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846

Offense Description

Conspiracy to Possess with Intent to Distribute a Controlled Substance,
Cocaine, approximately 15.5 kilograms, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

(See Attachment I).

☒ Continued on the attached sheet.



Complainant's signature

Christopher Donahue, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/23/2018 3:44 pm



Judge's signature

City and state: McAllen, Texas

Peter Ormsby, U.S. Magistrate Judge

Printed name and title

Attachment I

1. During March, 2017, Drug Enforcement Administration (DEA) McAllen District Office (MDO) received information that Cooperating Defendant 1 (hereafter, CD1) was a drug courier who would smuggle narcotics from Mexico into the United States through U.S. Customs and Border Protection (CBP) Ports of Entry (POE).
2. Database indices checks on CD1 during March, 2017 indicated that CD1 frequently crossed into the U.S. through the Roma, Texas POE. Additionally, database indices checks revealed that CD1 had frequently crossed into the U.S. driving a white Chevrolet Silverado. During March of 2017, CD1 previously crossed in this Silverado on nine (9) prior occasions.
3. On March 21, 2017, MDO agents received information from CBP Dispatch that CD1 had entered the U.S. through the Roma, Texas POE at approximately 10:30 a.m., in the same white Chevrolet Silverado that he previously utilized to cross the border during March, 2017.
4. At approximately 11:00 a.m., SA Christopher Donahue and TFO Ruben Duran observed CD1's white Chevrolet Silverado travelling east on U.S. Expressway 83, Mission, Texas, towards McAllen, Texas. SA Donahue and TFO Duran subsequently followed CD1's Silverado to the La Plaza Mall, south 10th Street, McAllen, Texas where it was parked on the ground level of the parking garage.
5. At approximately 11:20 a.m., SA Donahue and TFO Duran observed CD1 exit the vehicle and proceed towards Macys. SA Donahue and TFO Duran subsequently maintained surveillance on CD1's Silverado.
6. At approximately 11:40 a.m., SA Donahue and TFO Duran observed Cooperating Defendant 2 (hereafter, CD2) approach and then enter CD1's unoccupied Silverado. Moments later, SA Donahue and TFO Duran observed CD2 depart the Macys parking garage in CD1's Silverado and drive north on 10th Street, McAllen, Texas. Agents subsequently maintained surveillance of CD2 as he drove through McAllen, Texas.
7. At approximately 12:00 p.m., a probable cause vehicle stop was performed on CD2 by the Hidalgo County Constable's Office. Following a positive K-9 alert to narcotics in the vehicle, agents located approximately 15.5 kilograms of cocaine concealed within the rear driver's side door of the Silverado. A field test of the suspected cocaine resulted in a positive reaction for cocaine. CD2 was subsequently arrested and presented for prosecution with possession with the intent to distribute approximately 15.5 kilograms of

cocaine via District Court in Hidalgo County, Texas. Additionally, CD1's Silverado was seized as evidence.

8. On September 17, 2017, MDO agents arrested CD1 via a federal arrest warrant issued out of the Southern District of Texas for Possession with Intent to Distribute Cocaine, approximately 15.5 kilograms, a schedule II controlled substance.
9. On September 17, 2017, MDO agents conducted an interview with CD1. During the interview CD1 stated that CD1 knew CD1 was transporting drugs through the POE on March 21, 2017. CD1 stated that CD1 didn't know what type of drug CD1 was transporting or how much CD1 was transporting. CD1 stated that CD1 was going to get paid \$100 per packet of drugs that CD1 successfully transported through the POE.
10. CD1 stated that a person CD1 knew as "JOEL" (hereafter, JOEL) asked CD1 if CD1 had documents which allowed CD1 to cross the border into the U.S. CD1 stated that JOEL asked CD1 if CD1 would get stopped and searched when CD1 crossed through the POEs and into the U.S. CD1 stated that JOEL asked CD1 if CD1 wanted to work by crossing things into and out of the U.S. CD1 stated that JOEL drives a white Toyota Frontier truck with a Texas license plate.
11. CD1 stated that during the evening on March 20, 2017 JOEL contacted CD1 and asked for CD1's vehicle. CD1 stated that someone subsequently took his truck and later that evening returned the truck back to CD1 loaded with narcotics. CD1 stated that in the morning of the following day (March 21, 2017), he entered the U.S. in CD1's vehicle. CD1 stated that after entering the U.S. CD1 drove to the La Plaza Mall, McAllen, Texas. CD1 stated that after arriving at the mall, CD1 met with JOEL at the front door of the mall and transferred CD1's truck keys to JOEL. CD1 stated that later that same day CD1 received a phone call from JOEL who stated that the person who picked up CD1's truck was not answering his/her phone. CD1 stated that after talking to JOEL an unknown person picked up CD1 from the mall and transported CD1 to downtown McAllen where CD1 then met with JOEL. CD1 stated that JOEL then transported CD1 to an apartment in Rio Grande City, Texas.
12. On September 17, 2017, CD1 identified an apartment complex on the north side of Elizabeth Street, just east of Alvarez Road, Rio Grande City, Texas, 78582 as a residence of JOEL. On this same date, MDO agents drove past said apartment complex and observed a white Nissan Frontier, registered to Joel GOMEZ-VELA (hereafter, GOMEZ-VELA), parked outside of the complex.

13. On September 25, 2017, MDO agents arrested CD2 via a federal arrest warrant issued out of the Southern District of Texas for Possession with Intent to Distribute Cocaine, approximately 15.5 kilograms, a schedule II controlled substance.
14. On January 03, 2018, MDO agents conducted a proffer interview with CD1. During the interview, CD1 was shown a six (6) person photograph lineup which consisted of six (6) different male subjects. A picture of GOMEZ-VELA was placed in the #5 Slot. CD1 was asked if CD1 recognized anyone in the photograph lineup and CD1 stated that CD1 recognized the subject in the #5 Slot as "JOEL". CD1 subsequently initialed next to the #5 slot and wrote, "JOEL" next to GOMEZ-VILLA's picture. CD1 stated that GOMEZ-VELA (JOEL) was the person who coordinated the narcotics load on March 21, 2017 in which CD1 participated in.
15. On February 07, 2018, MDO agents conducted a proffer interview with CD2. CD2 stated that on March 21, 2017, CD2 was contacted via phone, and was given instructions on when and where to pick up a truck loaded with narcotics. CD2 stated that CD2 travelled to the La Plaza Mall, McAllen, Texas and was instructed to go inside the mall by a man CD2 knew as "El Tio" (hereafter, EL TIO). CD2 stated EL TIO possessed the key for the truck that CD2 would pick up. CD2 stated that CD2 met with EL TIO in the mall food court and EL TIO subsequently gave CD2 the key for a white Chevrolet Silverado which was parked in the parking garage near Macys.
16. CD2 was shown a six (6) person photograph lineup which consisted of six (6) different male subjects. A picture of GOMEZ-VELA was placed in the #2 Slot. CD2 was asked if CD2 recognized anyone in the photograph lineup and CD2 stated that CD2 recognized the subject in the #2 Slot as EL TIO. CD2 subsequently initialed next to the #2 slot and wrote, "Keys, El Tio" next to GOMEZ-VILLA's picture.